

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:

CAESARS ENTERTAINMENT
OPERATING COMPANY, INC., *et al.*,
Debtors.

Chapter 11

Case No. 15-01145 (ABG)

Jointly Administered

DECLARATION OF JEFFREY CHUBAK

I, Jeffrey Chubak, hereby declare:

1. I am counsel to Earl of Sandwich (Atlantic City), LLC (“Earl”) and submit this declaration in support of its summary judgment motion.
2. Attached hereto as Ex. 1 is a true and correct copy of the Notification as to Affiliates filed by Earl in the appeal of the Order denying the motion for a protective order, filed by Whitebox Advisors LLC (“Whitebox”).
3. Attached hereto as Ex. 2 is a true and correct copy of the transcript of the deposition of Thomas Avallone.
4. Attached hereto as Ex. 3 is a true and correct copy of an excerpt of the transcript of the deposition of Joseph Sarachek.
5. Attached hereto as Ex. 4 is a true and correct copy of excerpts of the transcript of the deposition of Barrett Mikelberg.
6. Attached hereto as Ex. 5 is a true and correct copy of certain documents Whitebox produced in response to Earl’s requests for production in this contested matter, which are cited by bates stamp number assigned by Whitebox (WBA-____).

7. Attached hereto as Ex. 6 is a true and correct copy of documents Earl produced to Whitebox in response to requests for production in this contested matter, which are cited by bates stamp number assigned by Earl (Earl____).

8. Attached hereto as Ex. 7 is a true and correct copy of the transcript of the deposition of Bradly Schwab.

9. Attached hereto as Ex. 8 is a true and correct copy of the transcript of the deposition of Gail Rosenblum.

10. Attached hereto as Ex. 9 is a true and correct copy of the transcript of the deposition of Bryan Seyfried, the corporate representative under Rule 30(b)(6) of Cowen Special Investments LLC (“Cowen”).

11. Attached hereto as Ex. 10 is a true and correct copy of the transcript of the deposition of Amit Patel, Whitebox’s corporate representative under Rule 30(b)(6), together with an errata sheet.

12. Attached hereto as Ex. 11 is a true and correct copy of Whitebox’s response to Earl’s first set of interrogatories.

13. Attached hereto as Ex. 12 is a true and correct copy of the e-mail sent by Gail Rosenblum to Whitebox on January 12, 2017, at 11:12 a.m., marked as Ex. 83 to the deposition transcript of Bradly Schwab, together with the draft Assignment of Claim Agreement attached thereto.

14. Annexed hereto as Ex. 13 is a true and correct copy of the e-mail sent by Barrett Mikelberg to Bradly Schwab on July 18, 2017, at 9:41 a.m. (eight days after Whitebox filed its initial motion with respect to the Claim, ECF No. 7120), marked as Ex. 22 to the deposition transcript of Barret Mikelberg.

15. Attached hereto as Ex. 14 is a true and correct copy of certain documents Cowen produced to Earl in response to a document subpoena in this contested matter, which are cited by bates stamp number assigned by Cowen (CSI____).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 31, 2018.

/s/ Jeffrey Chubak